

DOCKET NO.: ISIS-5023



RECEIVED

JUN 11 2002

# 6 1633  
0340/0590

TECH CENTER 1600/2900

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Christopher P. Leamon

Serial No.: 10/081,463

Group Art Unit: 1633

Filing Date: February 22, 2002

Examiner: Not Yet Assigned

For: FUSOGENIC LIPIDS AND VESICLES

DATE OF DEPOSIT: MAY 23, 2002

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

  
TYPED NAME: Emma R. Dailey  
REGISTRATION NO.: 48,491

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).



In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first office action after the filing of request for continued examination under §1.114, no additional fee is required.

- ☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐the first or ☐second After Final Submission, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or before an action that otherwise closes prosecution in the application, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); and the submission fee of \$180.00 as set forth in §1.17(p).
- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.



In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:



Copies of references **1 thru 21** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. **09/287,175**, filed **April 6, 1999**.




If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

This form is submitted in duplicate.

There are no listed references which are not in the English language.

Date: May 23, 2002

  
\_\_\_\_\_  
**Emma R. Dailey**  
Registration No. **48,491**

WOODCOCK WASHBURN LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439

**RECEIVED**

JUN 11 2002

TECH CENTER 1600/2900

Sheet 1 of 2

<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office		Docket No. <b>ISIS-5023</b>	Serial No. <b>10/081,463</b>
		Applicant <b>Christopher P. Leamon</b>	
		Filing Date <b>February 22, 2002</b>	Group <b>1633</b>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	1	Chu, C. et al., "Efficiency of Cytoplasmic Delivery by pH-Sensitive Liposomes to Cells in Culture", <i>Pharmaceutical Research</i> , 1990, 7(8), 824-834	
	2	Ropert, C. et al., "Oligonucleotides Encapsulated in pH Sensitive Liposomes are Efficient Toward Friend Retrovirus", <i>Biochemical and Biophysical Research Communications</i> , 1992, 183(2), 879-885	
	3	Tang, F. et al., "Introduction of a Disulfide Bond into a Cationic Lipid Enhances Transgene Expression of Plasmid DNA", <i>Biochemical and Biophysical Research Communications</i> , 1998, 242, 141-145	
	4	Wrobel, I. et al., "Fusion of Cationic Liposomes with Mammalian Cells Occurs after Endocytosis", <i>Biochimica et Biophysica Acta</i> , 1995, 1235, 296-304	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	

**RECEIVED**

JUN 11 2002

TECH CENTER 1600/2900

Sheet 2 of 2

<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. <b>ISIS-5023</b>	Serial No. <b>10/081,463</b>
	Applicant <b>Christopher P. Leamon</b>	
	Filing Date <b>February 22, 2002</b>	Group <b>1633</b>

**U. S. PATENT DOCUMENTS**

Examiner Initial		Document No.	Date	Name	Class	Subclass
	5	5,013,556	05/91	Woodle, et al.	424	450
	6	5,100,662	03/92	Bolcsak	424	88
	7	5,264,618	11/93	Felgner, et al.	560	224
	8	5,395,619	03/95	Zalipsky, et al.	424	450
	9	5,614,503	03/97	Chaudhary, et al.	514	44
	10	5,635,487	06/97	Wolff, et al.	514	44
	11	5,635,784	06/97	Wolff, et al.	514	44
	12	5,688,488	11/97	Low, et al.	424	1.69
	13	5,747,471	05/98	Siegel, et al.	514	44
	14	6,169,078	01/00	Hughes, et al.	514	44
	15	6,303,302	02/00	Legendre, et al.	424	1.96
	16	6,043,094	03/00	Martin, et al.	435	458
	17	6,045,821	04/00	Garrity, et al.	424	450
	18	6,180,134	01/01	Zalipsky, et al.	424	450
	19	6,224,903	05/01	Martin, et al.	424	450

**FOREIGN PATENT DOCUMENTS**

Examiner Initial		Document No.	Date	Country	Translation YES NO	
	20	WO 90/07924	07/90	PCT		
	21	WO 99/38821	08/98	PCT		

**EXAMINER****DATE CONSIDERED**